

REMARKS

Applicants have amended their priority claim. Without acquiescing in any rejection, applicants have canceled claims 1-28 without prejudice or disclaimer, and reserve all rights to the subject matter of these claims. Applicants have added claims 29-34. Support for the claims can be found throughout the application. For example, chromatographic techniques are disclosed at paragraph 0047. Media and supplements with reduced concentrations of cysteine are disclosed at paragraphs 0035-39, including Table 2-4. Disclosure of metal salts is found in paragraphs 0029, 0038-39, 0050 and original claims 8 and 9. Cysteine metabolism is discussed at paragraph 0034. Applicants submit that the added claims are not susceptible to the rejections made by the examiner, including the various rejections made under 35 USC § 112 since applicants have limited the claims to the production of pertussis toxin. The claim amendments also moot the double patenting rejection. The prior art rejections also are mooted, and are discussed below.

Karlsson

The examiner rejected claims 1, 5, 6 and 10 as anticipated by Karlsson. The examiner stated that Karlsson disclosed the production of toxin from *C. difficile*. The present claims, however, are directed to the production of pertussis toxin from *B. pertussis*. Accordingly, Karlsson cannot anticipate the claims.

Quentin-Millet

Quentin-Millet does not disclose the combination of a reduced cysteine presence to minimize sulfate ion production with the use of Pb(II), Sr(II), Ag(II) and/or Ba(II) salts to sequester sulfate ions. Accordingly, Quentin-Millet cannot anticipate the claims.

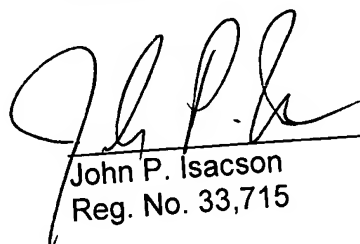
Sekura

Sekura discloses the minimization of iron in media used to propagate Bordetella. Sekura does not close the use of reduced cysteine concentrations and the use of Pb(II), Sr(II), Ag(II) and/or Ba(II) salts to sequester sulfate ions. Accordingly, Sekura cannot anticipate the claims.

Request

Applicants submit that the claims are in condition for allowance, and respectfully request favorable consideration to that effect. The examiner is invited to contact the undersigned at (202) 912-2000 should there be any questions.

Respectfully submitted,


John P. Isacson
Reg. No. 33,715

March 29, 2005

HELLER EHRMAN LLP
1717 K Street, N.W.
Washington, D.C. 20036
Phone: 202-912-2000
Fax: 202-912-2020
Customer No. 26633